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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JOSE LUIS MURILLO ESPINOSA,

12 Defendant.

CASE NO. CR13-5569BHS

ORDER

13 This matter came before the Court on January 21, 2014, for a regularly scheduled Pretrial
14 Conference. The defense made and the Court granted a second, unopposed motion to continue
15 the trial date in this case. In addition to having considered the statements of counsel made in
open court, the Court makes the following findings of fact and conclusions of law:

16 1. The defense needs additional time to explore and investigate newly discovered
17 evidence, which was recently provided to the defense.

18 2. Taking into account the exercise of due diligence, a continuance is necessary to allow
19 the defendant the reasonable time for effective preparation his defense, to explore resolution of
20 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §
21 3161(h)(7)(B)(iv).
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1 3. Proceeding to trial absent adequate time for the defense to prepare would result in a
2 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

3 4. The ends of justice served by granting this continuance outweigh the best interests of
4 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

5 5. Defendant waived speedy trial up to and including April 22, 2014.

6 NOW, THEREFORE, IT IS HEREBY ORDERED

7 That the trial date is continued from January 28, 2014, to April 22, 2014, at 9:00 a.m.
8 Pretrial Conference is set for April 14, 2014, at 3:00 p.m. The resulting period of delay from
9 January 21, 2014, to April 22, 2014, is hereby excluded for speedy trial purposes under 18
10 U.S.C. § 3161(h)(7)(A) and (B).

11 Dated this 19th day of February, 2014.

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14 BENJAMIN H. SETTLE
15 United States District Judge
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